

Application No.: 10/031,375
Reply to Office action of October 6, 2003

Remarks/Arguments

This Amendment is being filed in response to the Office action dated October 6, 2003. Support for the amended claims is found throughout the specification, the original claims and the drawings. No new matter has been added. The amendment to the claims overcomes all of the art rejections of record. Each rejection will be discussed briefly below.

The undersigned thanks the examiner for the interview granted on December 12, 2003. The following references were discussed as well as the claims added herein.

Claims 1-3, 5 and 6 were rejected as being anticipated by US Patent 2,444,392 to Willens. The amendments have clearly overcome the rejection. Willens is directed to a clock characterized by a base and three different rotating time elements, one each for hours, minutes and seconds. Willens teaches that clocks according to his invention have the advantage of possessing "unusual visibility." Column 1, lines 43-48. The only size indication for these clocks is at Column 4, lines 52-53, where Willens compares the visibility of a six inches clock with a prior art clock of 18 inches. Clearly, such a clock is not suitable for a wristwatch. Finally, Willens does not teach or suggest a non-rotating platform above the rotating band nor the decorative object attached to the platform.

Claims 1, 2, 5 and 6 are rejected as being anticipated by US Patent 4,858,209 to Chaut. Again, the amendments have clearly overcome the rejection. Like Willens, Chaut is directed to mantel clocks having a plurality of rotating time elements. An essential feature of Chaut is that the clock is additionally transfiguring. Transfiguring clocks are characterized by a continuously changing geometrical shape. Chaut does not teach a wristwatch, does not teach a non-rotating platform above the rotating band and does not teach a decorative object attached to the platform. Furthermore, the wristwatches of the present invention are not transfiguring in light of the fact that the rotating band is cylindrical, maintaining its geometric shape through its rotation.

Claims 4 and 7 are rejected as being anticipated by Spadini ('979). Spadini discloses a mantle clock with a rotating statuette. Spadini does not teach a wrist watch with a fixed platform and decorative object.

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Claims 8, 9 and 17-19 are rejected as being anticipated by Perrot '717. US Patent 6,092,923 appears to correspond to Perrot '717 and is enclosed herewith. Perrot is directed to a means for attaching an element to the frame of a timepiece. It does not describe, for example, a watch that has a rotating cylindrical band or a timepiece with a non-rotating platform and decorative object attached thereto.

Claims 12-14, directed to a spring mechanism, is rejected as being anticipated by or obvious over Namisoto or Kienberger. These claims have been cancelled, rendering the rejections moot.

Claim 10 has been rejected as being obvious over Kienberger. Kienberger is directed to a clock with a pendulum, which is obviously not related to the currently claimed invention.

In summary, none of the references teach the combination of a timepiece, much less a wristwatch, with rotating bands which indicate the time, a non-rotating platform above the band with a decorative object attached thereto.

Claims 10-11 and 15-16 are rejected under 35 USC 112 for lacking proper antecedent basis and the improper use of the word "hole". These issues have clearly been avoided by the present claims.

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CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned at (978) 251-3509.

Respectfully submitted,

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